

REMARKS

Reconsideration of the above-identified patent application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-22 are in this case. Claims 1, 2 and 10-15 have been rejected under § 102(e). Claims 3-9 and 16-22 have been objected to. Claims 3-9 and 16-22 have been canceled. New independent claims 23 and 24 have been added.

The claims before the Examiner are directed toward a method and system for archiving data in a memory. The data are classified according to their desired lifetime and then are archived in the memory using a storage method whose reliability is in accordance with the desired lifetime of the data.

§ 102(e) Rejections – Gu ‘030

The Examiner has rejected claims 1, 2 and 10-15 under § 102(e) as being anticipated by Gu, US Published Patent Application No. 2002/0092030 (henceforth, “Gu ‘030”). The Examiner’s rejection is respectfully traversed.

Gu ‘030 teaches a method of encoding and decoding data related to video frames in which data related only to recent frames are stored in short-term buffers and data related to less recent frames are stored in long-term buffers.

The crucial difference between the teachings of Gu ‘030 and the present invention is that the present invention archives data with different desired lifetimes using storage methods of different reliabilities. Gu ‘030 does not care about the duration for which “short-term” vs. “long-term” data are stored reliably, and says so explicitly in paragraph 0043:

It should be appreciated that the terms “short-term” and “long-term”, as used herein, are not intended to refer to a specific time duration for data, but rather to refer to reference data that is generally more or less temporally remote to current pictures. (emphasis added)

Furthermore, the present invention is directed at archiving data. “Archiving” is defined in the specification on page 3 lines 13-15 as follows:

“Archiving” is understood herein to mean storage of data in a memory device in which the data are intended to reside and be retrievable for a relatively long time.

Examples of typical duration of “archiving” include “a week or a month” (page 4 line 25) and “many years” (page 7 line 21). This is in contrast to the time scale on which Gu ‘030 stores data in buffers. This time scale is on the order of typical video frame rates. Attached please find a whatis.com definition of “video frame rate” dated September 22, 1999. The typical video frame rates listed therein are 10, 15, 24, 25 and 30 frames per second, corresponding to storage durations that are several orders of magnitude shorter than those contemplated by the present invention.

Thus, the present invention, as recited in independent claims 1 and 10, is not anticipated by Gu ‘030. Furthermore, the present invention, as recited in independent claims 1 and 10, is not even obvious from Gu ‘030. There is neither a hint nor a suggestion in Gu ‘030 of using storage methods of different reliability to store short-term vs. long-term data. Indeed, Gu ‘030 teaches explicitly against such different treatment of short-term vs. long-term data, in paragraph 0043 as cited above.

With independent claims 1 and 10 allowable over Gu ‘030, it follows that claims 2 and 11-15, that depend therefrom, also are allowable.

Objections

The Examiner has objected to claims 3-9 and 16-22 as being based on rejected base claims. The Examiner has noted that claims 3-9 and 16-22 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claim.

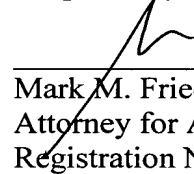
New claim 23 is claims 3-9 rewritten in independent form, using a Markush group to recite the limitations of claims 3-9 collectively. New claim 24 is claims 16-22 rewritten in independent form, using a Markush group to recite the limitations of claims 16-22 collectively.

Amendments to the Specification

An inadvertent typographic error on page 8 line 5 has been corrected. No new matter has been added.

In view of the above amendments and remarks it is respectfully submitted that independent claims 1, 10, 23 and 24, and hence dependent claims 2 and 11-15 are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



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In motion pictures, television, and in computer video displays, the frame rate is the number of frames or images that are projected or displayed per second. Frame rates are used in synchronizing audio and pictures, whether film, television, or video. In motion pictures and television, the frame rates are standardized by the Society of Motion Picture and Television Editors

(SMPTE). SMPTE Time Code frame rates of 24, 25 and 30 frames per second are common, each having uses in different portions of the industry. The professional frame rate for motion pictures is 24 frames per second and, for television, 30 frames per second (in the U.S.).

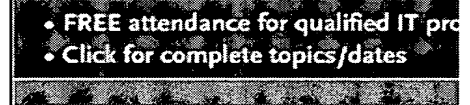
In computer video streams, the frame rate describes playback rates for AVI and QuickTime movies. The video playback rate for an AVI or QuickTime movie directly relates to the perceived smoothness of its playback. The higher the number of frames playing per second, the smoother the video playback appears to the user. Lower rates result in a choppy playback. (As a reference point, film uses 24 frames per second to allow the viewer to perceive smooth playback.) Several factors affect the actual frame rate you get on your computer. For example, your PC [processor](#) or graphics hardware may only be capable of playing 10-15 frames per second without acceleration.

In developing motion pictures, television, and video, frame rate information is used as a reference for audio signals. The recorded signal includes information about location in time using a 24-hour clock, and individual frame numbers. This signal is used to synchronize multiple audio and video machines during the recording and editing process. Using a master synchronizing device, the operator can issue location commands from a central machine and have all slaved machine follow the master.

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